



# Consultation on Fire and Smoke Alarms in Scottish Homes: Analysis of Responses



**PEOPLE, COMMUNITIES AND PLACES**

# Consultation on Fire and Smoke Alarms in Scottish Homes: Analysis of Responses

Why Research, March 2018

## ***Acknowledgments***

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# Executive Summary

Following the tragic fire at Grenfell Tower in London, in which 71 people lost their lives, the Scottish Government established a Ministerial Working Group to oversee a review of building and fire safety regulatory frameworks, in order to help ensure that people are safe in Scotland's buildings and to provide reassurance to residents and communities about their safety.

As part of this work, the Ministerial Working Group launched the [Consultation on Fire and Smoke Alarms in Scottish Homes](#) on 8 September 2017<sup>1</sup>. The consultation sought views on potential changes to standards required for fire and smoke alarms in domestic properties in Scotland, and closed on 1 December 2017.

## Respondent Profile

In total, there were 122 replies to the consultation, of which 63 were from organisations (broken down as below) and 59 were from individuals.

**Table 1: Respondent Groups**

	Number
Housing Association	17
Local Authority	13
Lettings / residential lettings / property management	7
Residents association / tenant participation	7
Fire risk / Safety consultant	6
Other (e.g. charities / health / professional organisations / manufacturer)	13
<b>Total organisations</b>	<b>63</b>
Individuals	59
<b>Total respondents</b>	<b>122</b>

## Key Themes

A number of key themes were evident across questions as well as across respondent groups and these are summarised below.

- The need for the same high standard across all housing sectors regardless of tenure. While there is support for the standards currently applied in the private rented sector (PRS) and new build domestic properties, there are some concerns that there should be a higher standard than this, particularly

<sup>1</sup> <http://www.gov.scot/Resource/0052/00524309.pdf>

for vulnerable groups of people or for individuals living in buildings with a higher risk factor.

- The need for fire risk assessments for all high rise domestic buildings or risk assessments to identify residents at a greater risk of fire.
- The need for careful consideration of the timescales (including planning, procurement and implementation) and costs of compliance. These are particularly important for:
  - social landlords who may have a large number of properties and who would want to align installation and maintenance with their regular maintenance cycles;
  - owner occupiers who may be elderly, vulnerable or living on low incomes;
  - other vulnerable groups such as those in care homes.
- The need to consider financial incentives such as grants, loans or subsidies.
- The difficulties in monitoring and enforcing a new minimum standard in the owner occupied sector.
- The need for education / advertising campaigns to help raise awareness of issues in relation to fire safety.

## Consultation Questions

The following paragraphs summarise the main findings from each of the consultation questions.

## Main Findings: Options to Extend Standards

### Social Housing (Q1, Q1a, Q1b)

A large majority of respondents agreed that there should be a new minimum standard for fire and smoke detectors in social rented housing. The key theme emerging was of a need for a unified standard across all types of tenancy, with all properties adhering to the same regulations. A number of respondents qualified their answer, primarily in relation to the need to consider the cost of implementation and the financial pressures and resourcing implications this could place on landlords.

There was majority support for the new minimum standard to be based on the standard currently applying to private rented property. A key theme was that all properties should be equally protected to ensure consistency and prevent any indirect discrimination.

### Tenements and Flats (Q2, Q2a, Q2b, Q2c)

A large majority of respondents agreed that individual flats should all be subject to the same minimum standards, regardless of tenure, in all tenements and blocks, regardless of height. A large majority of those who

commented saw the need for all homes to have the same standard of fire safety, regardless of tenure type or ownership.

A large majority of respondents disagreed that individual flats should all be subject to the same minimum standards, regardless of tenure, only within tenements and blocks higher than 18 metres. A majority of those who commented thought that all properties should have the same safety standards, or that shared risk is present in all tenements and blocks of flats, regardless of their height.

There was majority support for a standard based on the standard currently applying to private rented property. A key theme, once again, was that all individuals should be provided with the same level of protection. Qualifying comments included that there is a need for additional measures, such as sprinkler systems or fire doors, within high rise blocks.

### **All Housing (Q3, 3a, 3b)**

A large majority of respondents agreed there should be a common new minimum standard for fire and smoke detectors in all housing, regardless of tenure. The main reasons given for agreement were that all properties should be safe for occupants or that tenure is not relevant to occupant risk. While there was a high level of support for a common new minimum standard, there were some suggestions that different types of property need different standards.

A majority of respondents agreed that a common new minimum standard should be based on the standard currently applied to private rented property. Primarily because this is perceived to be a good minimum standard, or that this adequately covers fire safety risks.

A majority of those who responded did not agree that some other standard should apply.

A key concern throughout this section related to the owner occupied sector where it was felt enforcement or monitoring would be difficult; there were suggestions that enforcement could be at point of sale or at any time when refurbishment was being undertaken.

## **Main Findings: Changes to the Minimum Standard**

### **Common Alarms (Q4)**

A majority of respondents disagreed that any new standards should require fire and smoke alarms to be interlinked in different flats in the same building. The main theme in responses from almost all of those who answered 'no' related to a range of potential issues that could be caused by recurring false alarms.

## **Common Area Alarms (Q5)**

The largest proportion of respondents agreed that if a new minimum cross-tenure standard is introduced, this should require fire and smoke detectors in common areas, although a significant number of respondents disagreed or gave a response of 'don't know'.

## **Battery Powered Alarms (Q6, Q6a)**

A majority of respondents agreed that it would be acceptable to specify battery alarms in new standards, provided these meet the minimum criteria.

A main theme in comments from those agreeing was that this offers a simpler and more economical route to safety. Many respondents, regardless of whether they agreed or disagreed, queried how this would be monitored and enforced. A number of those who supported the proposed change commented on technological advances that have been made and the need for guidance to be updated in line with those developments.

## **Maximum Age for Alarms (Q7)**

There was majority support for a minimum standard to specify a maximum age for alarms. A key theme was that there is a need for a common standard so as to remove any confusion, that this is common sense, or that the introduction of a maximum age will ensure alarms are replaced regularly and remain effective.

Of those who commented on the question of whether the maximum age should be 10 years, over half of these simply agreed that the maximum age should be 10 years, while smaller numbers of respondents suggested alternative timescales or felt the maximum age should be dependent upon the manufacturer's guidance.

## **Location of Alarms (Q8)**

Views were relatively split as to whether there should be any change to the rules on the location of alarms in the minimum standard, with 43 in support compared to 60 opposed; 19 said 'don't know' or did not reply.

A number of respondents made suggestions for additional rooms into which an alarm should be placed, with bedrooms receiving the most suggestions.

A number of respondents saw a need for specialist advice particularly from the Scottish Fire and Rescue Service (SFRS).

Of the respondents disagreeing that there should be any change to the rules on the location of alarms in the minimum standard, many felt that the present rules on the location of alarms are suitable and do not need to be changed.

## **Other Changes (Q9)**

Views were split as to whether there should be any other changes considered for any new standard for social landlords and owner occupiers.

More respondents disagreed that there should be any other changes considered for the existing standard for private rented housing than agreed. Themes from those who commented further included a need for the same standard across all types of tenure or comments that existing standards are adequate for the private rented sector.

## **Main Findings: Costs, Timescale and Compliance**

### **Estimate of the Cost of Alarms (Q10a, Q10b)**

A majority agreed it is reasonable for home owners to pay for the work needed to comply with a new minimum standard for fire and smoke alarms. While there was general support, a number of respondents raised concerns over costs, with some suggesting the Scottish Government should take responsibility for installation costs, and others suggesting grants, subsidies or loans to help cover the costs of installation.

A large majority of respondents agreed that it is reasonable for social landlords to pay for the work needed for their properties to comply with a new minimum standard for fire and smoke alarms.

### **Timescales (Q11a, Q11b)**

A majority of respondents agreed that a one year timescale for installing additional battery alarms is reasonable. The key comments made by those who agreed with the proposal was that this would be an adequate timescale, that it would be relatively easy to install additional battery alarms, or that fire safety should be a priority. Of the respondents who disagreed with this proposal, a key comment was in relation to the logistical and financial challenges that would be presented by such a short timescale.

A majority of respondents felt the proposal that a two year timescale for installing additional mains wired alarms is reasonable.

A large majority of respondents were in favour of a timetable that is the same for both owner occupiers and social landlords. The key comment emerging from those in agreement with this proposal was that there is a need to ensure the safety of all and that this would provide a level playing field.

### **Compliance in Social Housing (Q13, Q13a)**

While a greater number of respondents agreed than disagreed that existing enforcement routes are sufficient for the social housing sector, a significant number said 'don't know' or did not reply. Of those commenting, many reiterated that the existing enforcement route is sufficient or said that it is



established as the primary route for assessing condition and services quality in the social housing sector.

### **Compliance in Owner Occupied Housing (Q14)**

Many of those offering their views on the most effective approaches to encouraging compliance with a minimum standard for fire and smoke alarms in the owner occupied sector, voiced support for the various measures outlined in the consultation paper, with evidence of compliance at point of sale being the most popular measure. There were, however, some queries over whether this could be binding or comments that it would take a long time to ensure there are alarms in all owner occupied properties if there is reliance on this approach.

A number of respondents commented specifically on enforcement of the minimum standard, with many noting the challenges of enforcement and the need for an enforcement regime.

### **Main Findings: Wider context (Q15)**

Many of those who commented on whether anything else should be included for consideration in future work, reiterated measures and approaches that were outlined in the consultation paper.

Some respondents referred to the need for additional standards for higher risk individuals such as those with a disability, individuals in sheltered housing, retirement homes or care homes. There were some calls for guidance on fire safety and fire prevention, or for an advertising campaign to highlight relevant fire safety issues.

### **Main Findings: Carbon Monoxide Detectors (Q16)**

A large majority of respondents were supportive of a new minimum standard for carbon monoxide detectors in both social rented housing and owner occupied housing.

### **Impact Assessments (Q17, Q18)**

Respondents commenting on the Impact Assessments simply noted their support for the consultation and measures that will improve fire safety in homes across Scotland.

# Introduction

## Background

1. On 14 June 2017, a major fire spread rapidly through Grenfell Tower, a 24 storey residential high rise building in London. In the wake of this tragedy, in which 71 people lost their lives, the Scottish Government established a Ministerial Working Group to oversee a review of building and fire safety regulatory frameworks, in order to help ensure that people are safe in Scotland's buildings, and to provide reassurance to residents and communities about their safety.
2. As part of this work, the Group agreed that a consultation on fire and smoke alarms should be prioritised. This had originally been intended for consultation later in 2017/18 as part of a wider consideration of condition issues leading from proposals raised through the Common Housing Quality Standard Forum.
3. The Consultation on Fire and Smoke Alarms in Scottish Homes opened on 8 September 2017 and closed on 1 December 2017.
4. It invited views on a range of issues including:
  - Current standards.
  - Potential changes to standards.
  - Costs, Timescale and Compliance; and
  - Carbon Monoxide Detectors.

## Respondent Profile

5. In total, there were 122 responses to the consultation, of which 63 were from organisations and 59 from individuals.
6. Respondents were assigned to respondent groupings in order to enable analysis of any differences or commonalities across or within the various different types of organisations and individuals that responded.
7. A list of all those organisations that submitted a response to the consultation and agreed to have their name published is included in Appendix 1.

**Table 2: Respondent Groups**

	<b>Number</b>
Housing Association	17
Local Authority	13
Lettings / residential lettings / property management	7
Residents association / tenant participation	7
Fire risk / Safety consultant	6
Other (e.g. charities / health / professional organisations / manufacturer)	13
<b>Total organisations</b>	<b>63</b>
Individuals	59
<b>Total respondents</b>	<b>122</b>

8. As Table 2 shows, the two largest organisation sub-groups were housing associations and local authorities.

## Methodology

9. Responses to the consultation were submitted using the Scottish Government consultation platform Citizen Space, or by email or hard copy.
10. It should be borne in mind that the number responding at each question is not always the same as the number presented in the respondent group table. This is because not all respondents addressed all questions. This report indicates the number of respondents who commented at each question.
11. Some of the consultation questions contained closed, tick-boxes with specific options to choose from. Where respondents did not follow the questions but mentioned clearly within their text that they supported one of the options, these have been included in the relevant counts.
12. The researchers examined all comments made by respondents and noted the range of issues mentioned in responses, including reasons for opinions, specific examples or explanations, alternative suggestions or other comments. Grouping these issues together into similar themes allowed the researchers to identify whether any particular theme was specific to any particular respondent group or groups.
13. When considering group differences however, it must also be recognised that where a specific opinion has been identified in relation to a particular group or groups, this does not indicate that other groups did not share this opinion, but rather that they simply did not comment on that particular point.

14. While the consultation gave all who wished to comment an opportunity to do so, given the self-selecting nature of this type of exercise, any figures quoted here cannot be extrapolated to a wider population outwith the respondent sample.
15. A small number of verbatim comments from those who gave permission for their responses to be made public have been used in the report to illustrate themes or to provide extra detail for some specific points.

## Options to Extend Standards

16. The consultation document stated the Scottish Government’s view that the standard currently applied to private rented housing represents current best practice and that, therefore, the most appropriate option to improve standards for fire and smoke alarms is to extend this standard to all tenures.
17. The document examined the following options:
- Applying a new standard to social rented housing.
  - Applying a standard to flats, irrespective of tenure.
  - Applying a standard to flats in high-rise buildings, irrespective of tenure.
  - Applying a standard to all housing, irrespective of tenure.

## Social Housing

**Q1: Do you think that there should be a new minimum standard for fire and smoke detectors in social rented housing?**

Table 3: Question 1

	Yes	No	Don't know	No reply
Housing Association (17)	16	-	-	1
Local Authority (13)	13	-	-	-
Lettings / residential lettings / property management (7)	4	-	2	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	6	-	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	11	-	-	2
Individuals (59)	54	1	1	3
<b>Total (122)</b>	<b>111</b>	<b>1</b>	<b>3</b>	<b>7</b>

18. As shown in Table 3, a large majority of respondents (111) agreed that there should be a new minimum standard for fire and smoke detectors in social rented housing; one respondent – an individual – disagreed with this proposal.
19. Respondents were invited to explain their answer and 99 took the opportunity to comment. Most commented that there should be a unified standard across all types of tenancy, with all properties adhering to the same regulations. A small number of respondents outlined specific

benefits this would bring, such as offering a safe environment for all tenants, consistency across all forms of tenure or simply that it would help save lives.

20. A small number of respondents commented that all new and refurbished homes should adhere to the minimum standard of LD2 (see appendix 2), and that the standards for new build properties should be adopted across all tenure types in Scotland. There were also some comments that the Scottish Housing Quality Standard (SHQS) is an inadequate minimum standard or that the current SHQS is not sufficient for tenant safety. A small number also commented that the current social housing standard is below the minimum protection detailed in British standards.
21. There were also a small number of comments on the need to consider the vulnerability of many within the social rented sector and the need for these individuals to be protected by legislation.
22. Some respondents made specific reference to technology, with a small number noting that current smoke detectors are based on old technology and there is a need to ensure smart smoke detectors are installed in properties. A small number of individuals expressed the need for hard-wired smoke detectors to be standard in all accommodation as it would prevent batteries from being removed.
23. That said, a small number of respondents – all within housing associations – noted a preference for sealed battery-operated alarms as these are easier and cheaper to fit and impact less on tenants during installation.
24. A number of respondents – mostly organisations – made some form of qualifying statement, primarily in relation to the need to consider the cost of implementation and the financial pressures and resourcing implications this could place on all landlords. There were also some concerns over the possible timescales for meeting the new standard and the need to ensure that enough time is allowed for implementation.
25. There was also a suggestion from two individuals that detectors need to be installed in elevators and bin areas.
26. All respondents answering ‘yes’ to Question 1 (whether there should be a new minimum standard for fire and smoke detectors in social rented housing) were then asked whether this should be based on the standard currently applying to private rented property. However, as some of those who gave answers other than ‘yes’ to Question 1 also answered Question 1a, the following table shows responses from all respondents.

**Q1a: If yes, do you think this should be based on the standard currently applying to private rented property?**

**Table 4: Question 1a**

	Yes	No	Don't know	No reply
Housing Association (17)	11	4	-	2
Local Authority (13)	12	-	1	-
Lettings / residential lettings / property management (7)	2	2	1	2
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	5	1	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	11	-	-	2
Individuals (59)	47	6	1	5
<b>Total (122)</b>	<b>95</b>	<b>13</b>	<b>3</b>	<b>11</b>

27. As Table 4 demonstrates, of those who replied to this question, there was majority support for the new minimum standard to be based on the standard currently applying to private rented property, with 95 agreeing and 13 disagreeing with this proposal.

28. Of the 76 respondents providing additional commentary to this question over half, across all sub-groups, agreed that all properties should be equally protected to ensure consistency and prevent any indirect discrimination. As one local authority noted:

*“The minimum standard set for the private rented sector is acknowledged as the most robust current standard and therefore should be the basis for applying a new minimum standard for all tenures, including social rented housing.”*

29. Small numbers of respondents also commented that this would offer a good level of protection and offer a good standard for the sector, or that vulnerable people living in social housing should be treated exactly as others in the private rented sector. A small number of respondents noted that this same standard should also apply to the owner occupied sector.

30. Once again, a small number of respondents referred specifically to technology, with a preference from some to allow landlords to use long life sealed interlinked battery alarms in preference to mains-wired alarms. One housing association suggested that there should be an option of hybrid systems based on a mixture of mains-powered and battery-powered or radio frequency alarms. A respondent within a local authority suggested

that there should also be consideration of carbon monoxide and carbon dioxide alarms in new build homes, linked to heat and smoke alarms.

31. A small number of respondents made reference to the placement of alarms, with one housing association respondent suggesting they should be in all circulation spaces in each storey and kitchen but not in living rooms; an individual suggested smoke alarms in bedrooms and another housing association respondent suggested that alarms should cover all risk areas but that they do not need to be placed in all rooms.
32. As at the previous question, a small number of respondents offered some form of qualifying commentary, primarily due to concerns over timescales for implementation, or that there needs to be sufficient resources in place for implementation. Some of these respondents suggested there should be an element of flexibility introduced so that fire risk assessors can assess each building to determine what measures are needed. One respondent in the fire risk / safety consultant sub-group suggested that the Scottish Government should provide appropriate funding and set an end date for the implementation process.
33. Those who did not answer 'yes' to Question 1 (whether there should be a new minimum standard for fire and smoke detectors in social rented housing) were asked whether they thought that some other standard should apply to social rented housing.

**Q1b: Alternatively, do you think that some other standard should apply to social rented housing? If so, please give details.**

34. Sixty respondents, across all groups and regardless of the answer they gave at Question 1, opted to provide a response to this question, the majority of whom simply gave an answer of 'no'. Many of these reiterated points made at earlier questions. A small number of these noted the same standard should apply to all tenures and a small number suggested the highest standards should be put in place.
35. Some respondents – mostly organisations – provided suggestions for the standard. Only one of these was made by more than one respondent: that, as a minimum, the standard should be in line with BS5839-6:2013 (LD3 Grade F)<sup>2</sup> (suggested by 2 respondents).
36. The following suggestions were each made by one respondent:
  - The current private rented sector standard but with enhanced provision based on a risk assessment.

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<sup>2</sup> See appendix 2



- Smoke detectors fitted in bathrooms.
- Hard-wired smoke detectors to be mandatory.
- All non-circulation space areas to have a minimum of a sealed unit battery-powered radio-linked alarm with a ten year lifespan.
- Only circulation space alarms should be mains connected.
- LD2 system should be employed (see appendix 2).
- An option to use battery alarms when upgrading existing properties.
- Only alarms in circulation spaces should be mains connected.

37. A small number of individuals provided some qualifying commentary and this included the following, each made by one respondent:

- One size will not fit all.
- Sprinklers should be fitted in all high rise buildings.
- High rise occupancy should be reviewed in any building of more than three storeys.
- No current repairing standard covers the main risk areas and escape routes.
- The standards suggested in the consultation paper are adequate but there will need to be regular testing and maintenance of systems.

## Tenements and Flats

**Q2: Do you think that individual flats should all be subject to the same minimum standards, regardless of tenure, in all tenements and blocks, regardless of height?**

**Table 5: Question 2**

	Yes	No	Don't know	No reply
Housing Association (17)	10	5	1	1
Local Authority (13)	10	2	1	-
Lettings / residential lettings / property management (7)	5	1	-	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	5	1	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	10	-	1	2
Individuals (59)	46	10	2	1
<b>Total (122)</b>	<b>93</b>	<b>19</b>	<b>5</b>	<b>5</b>

38. As shown in Table 5, a large majority of respondents agreed that individual flats should all be subject to the same minimum standards, regardless of tenure, in all tenements and blocks, regardless of height; 93 agreed and 19 disagreed.
39. Respondents were invited to explain their answer and 92 did so. A large majority of these noted the need for all homes to have the same standard of fire safety, regardless of tenure type or ownership. A small number also noted that fire safety is a shared responsibility and that a shared minimum standard would reflect the common interest of all tenants. A similar proportion also noted that the same standard should apply to owner occupied properties.
40. Typical responses to this question were:
- “Fire does not discriminate from each address, therefore a standard approach for all is required” (residents association / tenant participation).*
- “There is no justification for setting different safety standards for flats on different floors. This would just lead to confusion, and it is simpler to administer a system where a single standard applies” (individual).*
41. Of the small number of respondents who felt that there should be different standards applied according to the height of a building, the most common reason given was that the risk is greater in higher properties so there should be a focus on these. A small number of respondents specified the need for a different minimum standard in properties above specific heights, with one or two referring to tenements or blocks of flats above two storeys, others above 4 storeys and some citing a height of 18 metres. One respondent from a housing association noted that flats in tower blocks should be treated differently to tenements as tenements can be reached by ladder; a respondent in the lettings agency / residential lettings / property management sub-group noted that high blocks with only one staircase should have tighter controls and higher standards than other types of property.
42. A small number of respondents made some form of qualifying statement, most notably in reference to the difficulties of implementation and enforcement in owner occupied properties. A small number of respondents noted the need to consider additional measures such as the building type or the ease of escape, or to consider the type of measures needed for those with specific medical conditions.
43. A small number of individuals noted the need to also give consideration to other technology such as fire resistant doors, emergency lighting or clear instructions for residents.

44. One respondent in the fire risk / safety consultant sub-group also referred to the need for a minimum standard for electrical safety to be common across all types of tenure.

**Q2a: Alternatively, do you think that individual flats should all be subject to the same minimum standards, regardless of tenure, only within tenements and blocks higher than 18 metres?**

**Table 6: Question 2a**

	Yes	No	Don't know	No reply
Housing Association (17)	4	8	2	3
Local Authority (13)	1	9	-	3
Lettings / residential lettings / property management (7)	1	3	-	3
Residents association / tenant participation (7)	-	6	-	1
Fire risk / Safety consultant (6)	-	5	-	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	-	9	1	3
Individuals (59)	11	41	3	4
<b>Total (122)</b>	<b>17</b>	<b>81</b>	<b>6</b>	<b>18</b>

45. As Table 6 demonstrates, a large majority of respondents (81) across all sub-groups disagreed that individual flats should all be subject to the same minimum standards, regardless of tenure, only within tenements and blocks higher than 18 metres; 17 respondents – primarily individuals – agreed.
46. Respondents were invited to explain their answer and 52, across all sub-groups, took the opportunity to comment. A majority of these noted that all properties should be protected by a new minimum standard, that all properties should have the same safety standards or that shared risk is present in all tenements and blocks of flats, regardless of their height. A small number of respondents also commented that every tenant should have the same level of safety or that introduction of the same minimum standard would reduce any discrimination.
47. A small number of respondents felt that buildings themselves are more important than the height of a building, and noted the need to consider the building construction, maintenance and engineering and the potential risk of fire spreading. One housing association noted that fire spread in high rise buildings is limited because of the building structure and the associated compartmentalisation of the structure. Two respondents felt that there may be instances where low buildings present a greater fire risk.

48. A small number of respondents also noted that the height of a building is less relevant than the need to give occupants early warning or the capacity to escape the building in the case of fire, with comments that a common standard, regardless of tenure, would increase the opportunity for early warning.
49. A small number of respondents, while supportive of the same minimum standards for individual flats, felt there might also be a need for some additional special measures for buildings higher than 18 metres.
50. A small number of individuals disagreed with the height of 18 metres and suggested alternative heights; these included 10 metres or more or four storeys.
51. A small number of respondents agreed that individual flats should all be subject to the same minimum standards, regardless of tenure, only within tenements and blocks higher than 18 metres. The key reason given was that high rise buildings present more risks, with suggestions for building-wide alarms, escape routes, emergency lighting in stairwells and so on. One housing association respondent suggested a need for a separate standard to be developed for high rise buildings.

**Q2b: If you are in favour of a standard for flats, whether in all buildings or only those over 18 metres tall, do you think this should be based on the standard currently applying to private rented property?**

**Table 7: Question 2b**

	Yes	No	Don't know	No reply
Housing Association (17)	12	3	-	2
Local Authority (13)	11	-	1	1
Lettings / residential lettings / property management (7)	3	2	1	1
Residents association / tenant participation (7)	5	1	-	1
Fire risk / Safety consultant (6)	4	1	-	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	9	1	1	2
Individuals (59)	41	9	6	3
<b>Total (122)</b>	<b>85</b>	<b>17</b>	<b>9</b>	<b>11</b>

52. As shown in Table 7, there was majority support for this proposal, with 85, across all sub-groups, agreeing and 17 respondents – primarily individuals – disagreeing.

53. Seventy-five respondents provided additional commentary to this question, with around half of these noting that all individuals should be provided with the same level of protection, with one local authority respondent noting that this consistency would provide public assurance and simplify the landscape across Scotland.
54. That said, there were some qualifying comments made by respondents, with some noting that there is a need for additional measures – such as sprinkler systems or fire doors – within high rise blocks.
55. A small number of respondents commented that a standard higher than that of the PRS was needed or that the standard should be the same as that applied to new builds. A very small number of respondents commented on the need for a separate standard specifically for flatted buildings. For example, one individual noted that there is a need to consider the risk from common parts of the building that would not be covered under the current standard.
56. A small number of respondents made specific reference to technology. The key comment was that there should be an option to upgrade using battery alarms and not hard wired alarms. Other specific mentions by one or two respondents included the need for:
  - Mains with battery backup smoke alarms on each floor as a minimum standard.
  - The linking of each flat alarm to the common staircase route for early warning.
  - A minimum of LD2 standard (see appendix 2).
57. There were concerns noted by a small number of respondents, with some referring to the difficulties of enforcement of a new standard, and some specifically citing enforcement in owner occupied properties.
58. A small number of respondents felt there is a need for more research and evaluation before a new standard can be introduced; and that the benefits and costs of this need to be fully understood.

**Q2c: Alternatively, do you think that some other standard should apply? If so, please give details.**

59. Fifty-two respondents, across all sub-groups, provided commentary in response to this question, with around half of these simply noting that some other standard should not apply. Many responses to this question also echoed those given to the previous questions.
60. A small number of respondents noted the need to have the new build standard across all tenures, although a respondent in the fire risk / safety consultant sub-group suggested there is a need for a standard specifically for flatted buildings rather than a generic standard; and an individual

suggested the need for the standard to be revised to ensure all aspects of fire safety are covered.

61. As at previous questions, a small number of respondents referred to specific technology they felt should be applied and this included linking flat alarms to the common stair to allow for early detection of a fire, and having sprinkler systems in high rise blocks and / or smoke detectors in all rooms.
62. A small number of respondents also commented on the need to use experts to devise a standard(s) or the need to conduct analysis to assess the impact of different standards in flatted accommodation.

## All Housing

**Q3: Do you think that there should be a common new minimum standard for fire and smoke detectors in all housing, regardless of tenure?**

**Table 8: Question 3**

	Yes	No	Don't know	No reply
Housing Association (17)	14	1	1	1
Local Authority (13)	12	-	1	-
Lettings / residential lettings / property management (7)	6	-	-	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	4	1	1	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	10	1	1	1
Individuals (59)	41	12	4	2
<b>Total (122)</b>	<b>94</b>	<b>15</b>	<b>8</b>	<b>5</b>

63. As Table 8 demonstrates, a large majority of respondents (94) agreed there should be a common new minimum standard for fire and smoke detectors in all housing, regardless of tenure, with 15, mostly individuals, disagreeing.
64. Respondents were invited to explain their answer and 87, across all sub-groups, took the opportunity to comment, with over half of these reiterating their support for the proposition. Their reasons included responses along the lines that all properties should be safe for occupants, that tenure is not relevant to occupant risk and so on. The following quotations illustrate this point.

*Fire does not distinguish its occupants.” (Lettings / residential lettings / property management)*

*“Incidents of fire are not tenure specific and so a common standard across all housing will provide the best level of detection for all building occupiers. As many buildings have mixed tenure properties within the one block, a common standard ensures the same level of protection is provided in each property. (Housing Association)*

65. That said, a respondent in the local authority group noted the need to ensure that residents understand and know how to avoid the risk of fire. An organisation in the ‘other’ sub-group suggested that the Scottish Government needs a longer term ambition for this, similar to that for achieving minimum energy performance standards for all housing.
66. A small number of respondents commented specifically on the standard that would be appropriate, for example a need for the same standard as that currently applied to the private rented sector or for new build properties. Two individuals noted that all properties should be protected to the highest standard using Smart technology.
67. While there was a high level of support for a common new minimum standard for fire and smoke detectors in all housing, regardless of tenure, there were some suggestions that different types of property need different standards.
68. The key tenure identified by respondents as being excluded from this standard was owner occupiers (cited mainly by respondents in the fire risk / safety consultant sub-group and individuals); there were also some suggestions that owner occupiers should be given grant assistance if they are to be included in a new minimum standard. That said, there were also a small number of references to the high proportion of pensioners living in owner occupied homes who would need more than a minimum standard of safety due to their increased vulnerability. A small number of respondents also identified the need to have a different standard for those in vulnerable communities such as care homes where there would be different fire risks to take into account.
69. Other types of accommodation where respondents suggested the new minimum standard should apply were:
  - Rented properties only.
  - All new build.
  - Mixed tenure blocks.
  - In flatted housing where there is a risk to others.
  - Refurbished properties.

70. Some respondents highlighted concerns they had over the introduction of a common minimum standard. The key concern related to the owner occupier sector where it was felt enforcement would be difficult; there were suggestions that enforcement could be at point of sale or at any time when refurbishment was being undertaken.
71. A small number of respondents referred to use of the Tolerable Standard as a means of enforcing a new minimum standard, although it was felt that this would be difficult to enforce and could mean that it would make a large number of homes in Scotland sub-tolerable. There were comments that it would be unrealistic to condemn a house as unsuitable for living accommodation due simply to a lack of smoke detectors.

**Q3a: If yes, do you think this should be based on the standard currently applying to private rented property?**

Table 9: Question 3a

	Yes	No	Don't know	No reply
Housing Association (17)	12	3	-	2
Local Authority (13)	11	-	1	1
Lettings / residential lettings / property management (7)	3	2	1	1
Residents association / tenant participation (7)	6	1	-	-
Fire risk / Safety consultant (6)	4	1	-	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	7	2	1	3
Individuals (59)	35	14	5	5
<b>Total (122)</b>	<b>78</b>	<b>23</b>	<b>8</b>	<b>13</b>

72. As shown in Table 9, a majority of respondents (78), across all sub-groups, agreed that this should be based on the standard currently applied to private rented property; 23 respondents, mostly individuals, disagreed.
73. Fifty-eight respondents provided additional commentary in support of their response to this question, with a significant number noting this is a good minimum standard or that this adequately covers fire safety risks.
74. A small number of individual respondents noted that this should **only** be a minimum and some noted the need for a standard higher than that being proposed. Comments from these respondents included that the current private rented sector standard is not robust enough or that further additions such as fire suppression systems needed greater consideration or that



carbon monoxide detectors are needed in all properties with fuel-based appliances.

75. Once again, there was some reference to the owner occupied sector specifically, with a small number of respondents noting that this standard should not apply to this sector, with comments that it would be too onerous or too costly for owners. There was also reference to the difficulties of enforcing this in the owner occupied sector.
76. A small number of respondents made suggestions for specific technology to be adopted under a new minimum standard and these included:
- A minimum of LD2 in every home (see appendix 2).
  - Long-life, battery-operated interlinked alarm, with regular checks.
  - Mains powered alarms.
77. One individual provided a link to research undertaken by Dundee University into fire and smoke alarms<sup>3</sup>.

**Q3b: Alternatively, do you think that some other standard should apply? If so, please give details.**

**Table 10: Question 3b**

	Yes	No	Don't know	No reply
Housing Association (17)	4	7	2	4
Local Authority (13)	-	9	1	3
Lettings / residential lettings / property management (7)	2	1	1	3
Residents association / tenant participation (7)	2	4	-	1
Fire risk / Safety consultant (6)	-	3	-	3
Other (e.g. charities / health / professional organisations / manufacturer) (13)	1	6	2	4
Individuals (59)	15	32	3	9
<b>Total (122)</b>	<b>24</b>	<b>62</b>	<b>9</b>	<b>27</b>

78. As Table 10 shows, a majority of those who responded did not agree that some other standard should apply (62 disagreed compared to 24 who agreed).

<sup>3</sup> <https://www.dundee.ac.uk/news/2017/smoke-alarm-research-may-help-to-save-childrens-lives.php>

79. Twenty six respondents provided additional commentary to this question; mostly echoing comments made at the two previous questions.
80. A small number of respondents commented that the highest standard possible should be rolled out; there were single mentions of the private rented sector standard, the new build standard or that social and private rental should be subject to the same minimum standard. Once again, there was comment from a small number of respondents that the statutory minimum standard should not be applied to the owner occupied sector.
81. Small numbers of respondents also referred to specific types of technology they felt should be used. These included:
- Heat and smoke alarms with long-life battery-powered linked alarms.
  - 10 year battery alarms.
  - Approved long-life unwired sealed smoke and heat detectors.
82. There were a small number of mentions of the need for further analysis on the effectiveness of different standards and alarms. Again, the same respondent as at the previous question referred to the research conducted by Dundee University.

# Changes to the Minimum Standard

## Common Alarms

**Q4: Do you think that any new standards should require fire and smoke alarms to be interlinked in different flats in the same building?**

Table 11: Question 4

	Yes	No	Don't know	No reply
Housing Association (17)	-	16	1	-
Local Authority (13)	-	11	2	-
Lettings / residential lettings / property management (7)	-	5	-	2
Residents association / tenant participation (7)	2	3	1	1
Fire risk / Safety consultant (6)	1	5	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	3	6	2	2
Individuals (59)	15	29	12	3
<b>Total (122)</b>	<b>21</b>	<b>75</b>	<b>18</b>	<b>8</b>

83. As Table 11 shows, a majority of those who responded did not agree that any new standards should require fire and smoke alarms to be interlinked in different flats in the same building (75 disagreed compared to 21 – mainly individuals – who agreed).
84. Respondents were invited to explain their answer and 100 did so.
85. Looking first at those who said ‘no’, the main point raised by almost all of the 66 who commented, was the issue noted in the consultation document; the potential for recurring false alarms.
86. Respondents, from across respondent groups, pointed out that this can lead to a range of problems. The main issues mentioned were:
- That this could lead to complacency; with people assuming every alarm is a false alarm.
  - That this would lead to increased call-outs and wasted time for the SFRS; one local authority respondent said that the “*fire service has previously requested decommissioning of linked systems*”.
  - That people may remove, disable or damage their alarms to avoid false alarms and thus put themselves and others at risk.

- That each false alarm would mean the need for all to evacuate.
  - That this could lead to panic, or to distress for particular groups of people such as elderly people, disabled people, or those with sound sensitivity.
  - That this could lead to issues between neighbours particularly if there is one flat that causes recurring alarms, whether through something simple like burnt toast, or by setting off the alarm maliciously.
  - That testing would disturb the whole building.
87. Another issue, raised by several organisations and a small number of individuals, was that of connecting, monitoring and testing. One housing association respondent said it would be *“difficult to implement and manage to ensure that the system is maintained and fully functional”*. A respondent from the lettings / residential lettings / property management group explained: *“This is likely to be difficult to set up and maintain, due to problems with connectivity of radio interlinking through structural walls and between alarms which may not be compatible with each other”*.
88. Several respondents, mainly organisations, pointed out that the ‘stay put’ strategy is recommended and should remain in place (SFRS advise that when a fire breaks out within a multi-storey building, if a flat is not affected by heat and smoke, then the safest course of action is to remain in the flat and allow the fire service to deal with the emergency); these respondents said that interlinked alarms may cause all residents to try to evacuate.
89. There were also comments that if there were a fire in one area, then evacuating the whole building might pose more risk for those in the affected areas as their exit may be hampered by all other residents evacuating.
90. A small number of respondents mentioned the cost and/or enforcement of maintaining, fitting or retrofitting and how these would be agreed between different owners or landlords.
91. A small number of organisations, from various groups, commented that linking alarms is not required so long as there is proper fire and smoke separation between each flat.
92. Another theme to emerge in a small number of responses, but particularly from local authorities, was that while these respondents do not see the need for interlinked alarms in most blocks of flats, there are some instances where they would recommend this. For example:
- Where there is historical evidence that a particular type of building poses more risk without interlinked alarms or where there is evidence that a particular type of building would benefit.
  - Where there are vulnerable residents, such as in sheltered housing.
93. Other comments, from smaller numbers of respondents, are outlined below.

- That there should be a main alarm perhaps linked to the landlord or concierge.
  - That while interlinked alarms within individual flats are not necessary, there should be alarms in common areas such as corridors and refuse rooms.
  - That in buildings with linked alarms there would need to be very clear guidance for residents on evacuation procedures.
  - That interlinked alarms should be used in high rise buildings only.
94. This issue of false alarms was also raised as a concern in responses from a small number of the 15 who said 'yes' and commented further.
95. Looking at the other respondents who said 'yes', new standards should require fire and smoke alarms to be interlinked in different flats in the same building, the main theme to emerge was that this would alert as many people as possible and/or provide more time for evacuation.
96. Other points raised included one respondent from the fire risk / safety consultant group who commented that residents in flats should be alerted to any developing fire, rather than simply an initial smoke alarm, and suggested that *"Elements of the Type B Dependency systems sometimes installed in Student accommodation may be appropriate"*. This respondent pointed out that the mandatory standard implies all occupants have the right to a timely warning of fire and also commented that not to do so would give them a lesser standard of protection than those in commercial or industrial properties where *"a Category L3 system would normally be applied as a minimum"*.
97. A respondent from the 'other' organisation group said that "the Common Housing Quality Standard Forum has noted that the impact of a large fire in a tenement flat is likely to affect other flats in the same building".
98. The main points raised in responses from the 19 who said 'don't know' or did not specify their opinion included:
- That there are both advantages and disadvantages (and those mentioned are similar to the main themes from the yes/no respondents).
  - That it would depend on the type of property (including escape routes) and/or level of risk and/or the type and reliability of the alarm system, for example:
 

*"Fire detection systems should form part of a properly planned and understood fire safety regime. That may, in some circumstances included linking detectors across a number of homes but there won't be a one size fits all solution" (local authority).*

## Common Area Alarms

**Q5: If we introduce a new minimum cross-tenure standard, do you think that it should require fire and smoke detectors in common areas?**

Table 12: Question 5

	Yes	No	Don't know	No reply
Housing Association (17)	4	11	2	-
Local Authority (13)	3	7	2	1
Lettings / residential lettings / property management (7)	2	4	-	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	3	3	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	6	2	3	2
Individuals (59)	28	12	15	4
<b>Total (122)</b>	<b>53</b>	<b>39</b>	<b>22</b>	<b>8</b>

99. Table 12 shows that 53 respondents agreed while 39 disagreed.

100. Respondents were invited to explain their answer and 94 took the opportunity to comment.

101. A wide range of points were raised by the 37 respondents who said 'yes' with no particularly significant themes emerging. Many of the points reflect comments made by those who answered 'no' to question 4.

102. The main points, all from small numbers of respondents who said yes (from various groups unless stated), included:

- That this would provide additional protection or that it will prove safer as more people will be alerted.
- That alarms may only be required in high risk areas such as refuse stores or escape routes.
- The need to ensure that buildings are up to standard and/or the need for clear fire regulations (individuals).
- That residents will be alerted of any areas where their exit might be hampered (residents association / tenant participation).

103. Some respondents, again small numbers, also raised a number of provisos or concerns; these mainly related to:

- Suggestions that while there should be, and in many cases already are, common area alarms, these should not be linked to individual flats; a small number suggested links to a concierge or similar.
- Suggestions that the alarms should only be linked to flats close by to the common areas that may be at most risk. This included a respondent from the other organisation group who, while supporting the need for linked alarms, included this as a possible alternative:

*“Fire and smoke alarms in common areas can offer additional safety in relation to fires within closes, stairways and bin stores or chutes. According to national fire statistics, dwelling fires, where smoke alarms are triggered, are discovered more rapidly (less than 5 minutes) after ignition, and are associated with lower fatalities..... A potential alternative approach would be to have common alarms within zoned areas i.e. flats close to bin stores”.*

104. A small number also raised the possibility of vandalism or malicious triggering.

105. A small number disagreed with or queried the ‘stay put’ advice with a respondent from the other organisation groups asking *“Does stay put happen or do people panic?”*

106. Almost all (38) of the 39 who said ‘no’, also commented. The main themes from these responses were as follows.

107. Over a third of these respondents, from across respondent groups, commented again on the issue of false alarms with many comments similar to those seen at the previous question. One additional point made by these respondents, however, related to the possibility of vandalism as these areas are accessible to all and so alarms could be tampered with or set off maliciously.

108. Around a third, again from across respondents groups, commented that the ‘stay put’ advice is correct and that these alarms would cause whole buildings to be evacuated; in instances where only a small part needs to be evacuated this would mean those at greatest risk being hampered by others who do not need to evacuate. There were also comments that installing these alarms could jeopardise the ‘stay put’ advice as people would evacuate on hearing the alarm.

109. Several respondents said there would need to be someone in charge of checking and enforcing safety in common areas and either of checking or turning off the alarm in the case of a false alarm, or to supervise any evacuation should there be a fire. For example, a respondent from the fire risk / safety consultant group said: *“It has been recognised for decades that such communal fire alarm systems should only be installed where a*

*responsible person can take charge of the alarm system and any evacuation”.*

110. In relation to this point, a respondent from the housing association group said:

*“A focus should be on enforcing safe common areas. To achieve this, new powers need to be given to a regulated body to allow action to be taken. This should include the ability to forcible [sic] remove items of a fire hazard and where items are likely to impinge access and egress. It should be criminal to ignore the advice of the statutory body”.*

111. A local authority respondent suggested that:

*“consideration should be given to establishing standards and guidance for undertaking assessments of particular buildings in this regard, as required”.*

112. Several respondents also mentioned the need for risk assessments for each building, ensuring that proper preventative measures, including security checks, fire rated doors and bans on combustible materials from common areas, as well as standards to ensure building construction is designed to contain fire, are in place.

113. Another local authority respondent felt that: “Consideration should be given to the historic sources of fires within such properties and whether there is evidence which indicates fires within common areas are of significant numbers to support this proposal”.

114. Another theme, from a smaller number of respondents, was again the question of who would pay for and maintain any system.

115. Once again, a main theme in responses from the 19 who said ‘don’t know’ or did not specify their opinion was that there are both advantages and disadvantages. And, again, those advantages and disadvantages mentioned match the themes from the yes/no respondents.

116. Another main theme was that the decision should be based on expert advice, risk assessment and/or evidence.

117. A small number felt there should be common area alarms but these should be linked to the Fire Service or landlord / concierge rather than to individual flats.

118. A very small number felt that the ‘stay put’ advice may change following the Grenfell Tragedy.

## **Battery Powered Alarms**

119. The Scottish Government propose the following minimum criteria for battery alarms:



- Sealed battery units, designed to last the lifetime of the unit (at least 10 years);
- Interlinking between alarms (including radio, Bluetooth etc.); and
- A warning device to alert occupiers at the expiry of the lifetime of the unit.

**Q6: Do you think that it would be acceptable to specify battery alarms in new standards, provided these meet the minimum criteria?**

**Table 13: Question 6**

	Yes	No	Don't know	No reply
Housing Association (17)	15	2	-	-
Local Authority (13)	9	4	-	-
Lettings / residential lettings / property management (7)	2	4	-	1
Residents association / tenant participation (7)	5	2	-	-
Fire risk / Safety consultant (6)	-	3	2	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	9	4	-	-
Individuals (59)	35	20	2	2
<b>Total (122)</b>	<b>75</b>	<b>39</b>	<b>4</b>	<b>4</b>

120. Table 13 shows that 75 respondents agreed that it would be acceptable to specify battery alarms in new standards, provided these meet the minimum criteria; 39 respondents, including many individuals, disagreed.

121. Respondents were invited to explain their answer and 121 commented further. The main themes in comments from those agreeing with the proposal are that this offers a simpler and more economical route to safety. A small number of respondents suggested that this, in turn, increases the likelihood of compliance. One residents' association / tenant participation organisation commented: *"Installation would be quicker, cheaper and less disruptive to internal decoration. The disruption (from mains installation) might be a dis-incentive to meeting the new standard, particularly in the owner occupied sector where the onus will be on the owner to pay for/organise the works"*.

122. There were mixed views from a small number of respondents on the relative effectiveness and safety of the suggested criteria for battery alarms. There were a small number of comments on the ways in which

technology has progressed and advanced and this was occasionally directly linked to confidence in sealed battery units. In contrast, a respondent in the fire risk / safety consultant group of organisations commented: *“While battery operated units with long term batteries are better than the old style, it still requires someone to change a battery in 10 years, and results in a system that is not inspected or maintained during that period”*.

123. Many respondents – regardless of whether they agreed or disagreed - queried how this would be monitored and enforced. A small number also expressed concerns that entire units might be removed, for example by tenants.
124. A number of respondents, predominantly those who disagreed with the proposal, suggested mains powered units are the safest and therefore the best option.
125. System stipulations were suggested by a number of respondents and these included those detailed in the consultation. In addition, a number of respondents suggested that different requirements are appropriate according to tenure and that owner occupiers should have greater flexibility of choice.
126. Linked to the next question in the consultation, there were a small number of comments that this change would be unfair on landlords in the private rented sector. One individual respondent commented: *“.... you have forced private landlords to reach a standard in a very short space of time and at great cost but now you want everyone else to have an easy ride”*.
127. A respondent in the fire risk / safety consultant group of organisations commented that the environmental cost of using lithium battery devices should be considered.

**Q6a: This would involve a change to the current Private Rented Sector guidance which requires mains wired smoke alarms. Please let us know your views about this.**

128. One hundred and twenty-one respondents made comments at this question, a number of whom referenced their earlier answers. For example, those who had said that mains powered units should be mandatory reiterated this belief. A number of those who supported the proposed change commented again here on technological advances that have been made and the need for guidance to be updated in line with those developments.
129. Many supported a change to PRS guidance and, once again, a number suggested that the change would encourage compliance among landlords or even encourage new landlords to enter the market.

130. A small number of respondents commented that they felt the guidance for PRS should not be revised regardless of proposals relating to other tenures. A small number also suggested that the PRS guidance should be extended to encompass social housing.

## Maximum Age for Alarms

**Q7: Do you think that a minimum standard should specify a maximum age for alarms?**

Table 14: Question 7

	Yes	No	Don't know	No reply
Housing Association (17)	16	1	-	-
Local Authority (13)	10	2	1	-
Lettings / residential lettings / property management (7)	3	3	-	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	3	3	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	8	3	1	1
Individuals (59)	42	10	4	3
<b>Total (122)</b>	<b>89</b>	<b>22</b>	<b>6</b>	<b>5</b>

131. As shown in Table 14, there was majority support, across most sub-groups, for a minimum standard to specify a maximum age for alarms (89 respondents supported this proposition, compared to 22 who did not). Views were polarised among organisations in the fire risk / safety consultant and lettings / residential lettings / property management sub-groups.

132. Respondents were invited to explain their answer and 91 took the opportunity to comment, some of whom simply noted that there is a need for a common standard so as to remove any confusion, that this is common sense, or that the introduction of a maximum age will ensure alarms are replaced regularly and remain effective.

133. Some respondents specified certain lifespans for alarms, with the highest level of consensus being for 10 years, although there were also a small number of suggestions that this would need to be reviewed periodically as technology develops and the lifespan of an alarm is extended. A small number of respondents suggested replacement every:

- 3 years (1 respondent).
  - 5 years (3 respondents).
  - 8 years (2 respondents).
134. While some respondents specified a maximum age for alarms, a similar number suggested that the lifetime of any alarm should be in line with manufacturers' guidance / advice or warranty. A small number of respondents also simply referred to an alarm being replaced at the end of its lifespan.
135. A small number of respondents within local authorities and housing associations suggested the need for a minimum lifespan rather than a maximum.
136. Some respondents referred to specific technology, with requests for some form of audible warning that a battery alarm is coming to an end of its life. A small number of respondents also noted that mains powered alarms do not need to have a maximum age, with one respondent in the lettings / residential lettings / property management sub-group noting that introducing a legislative timeframe for mains powered alarms would be an unnecessary financial burden.
137. Some respondents, rather than suggesting a maximum age for alarms, noted that good levels of maintenance can be a deciding factor on the lifespan of an alarm. There were also some comments that there should be regular monitoring and testing so as to avoid unnecessary alarm replacement. A small number of respondents suggested that alarms could be tested in the same way as other electrical goods, similar to PAT<sup>4</sup> testing.
138. As at previous questions, a small number of respondents queried how this would be enforced or noted the difficulties of implementing this proposal, with some commenting that this could not be enforced in the owner occupied sector. Two individuals also noted that the introduction of these changes will need to be communicated effectively to landlords and homeowners so as to ensure any required changes take place, with a suggestion from a local authority for an information campaign to ensure awareness of this.

**Q7a: If yes, do you agree that the maximum age should be 10 years?**

139. Eighty-two respondents opted to provide commentary to this question, although over half of these simply agreed that the maximum age should be

<sup>4</sup> Portable appliance testing (PAT) is the term used to describe the examination of electrical appliances and equipment to ensure they are safe to use. The frequency of inspection and testing depends upon the type of equipment and the environment it is used in <http://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm>. In the private rented sector, landlords are required to ensure that any appliances they provide are PAT tested every 5 years.

10 years, while a small number of respondents thought that a five year minimum should be applied.

140. Some respondents provided qualifying commentary, with the largest single comment being that the maximum age should be dependent upon the manufacturer's guidance, or dependent upon what is available. A small number, while agreeing with the maximum age of 10 years, also noted that this should be kept under review to allow for changes in technology in the future. Two individuals commented that the maximum age is irrelevant providing an alarm is well maintained.
141. Of the small number of respondents disagreeing, the maximum age of 10 years was felt to be too long.
142. Other comments, each from a very small number of respondents, included the concern that imposing a maximum age of 10 years will limit the potential for innovation in the industry and will not incentivise manufacturers to improve upon their products if legislation requires an alarm to be changed every 10 years.
143. A small number of respondents also noted that alarms should be regularly checked, perhaps by fire service personnel or as part of regular electrical (PAT) checks.

#### **Q7b: If not, what alternative?**

144. Thirty respondents chose to provide commentary at this question, with many echoing the response they had given in the two previous questions.
145. A small number of respondents opted to provide an alternative lifespan for alarms. There was no consistency in response, with suggestions ranging from as few as three years to a minimum of ten years, or fifteen years. However, many respondents providing an answer suggested that the alternative should be based upon the manufacturers' recommended lifespan.
146. A small number of respondents suggested that alarms should only be changed when they stop functioning.
147. Other comments made by one or two respondents included:
  - Manufacturers should improve alarm products to offer a longer lifespan.
  - Alarms should be subject to the British Standard specification.
  - Alarms should be regularly checked and maintained; for example as part of a regular electrical check.
  - There is a need for more research to ascertain a sensible maximum age for alarms.

## Location of Alarms

**Q8: Do you think that there should be any change to the rules on the location of alarms in the minimum standard? If so, what?**

**Table 15: Question 8**

	Yes	No	Don't know	No reply
Housing Association (17)	2	13	1	1
Local Authority (13)	2	7	3	1
Lettings / residential lettings / property management (7)	1	4	1	1
Residents association / tenant participation (7)	4	3	-	-
Fire risk / Safety consultant (6)	2	-	4	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	5	5	2	1
Individuals (59)	27	28	3	1
<b>Total (122)</b>	<b>43</b>	<b>60</b>	<b>14</b>	<b>5</b>

148. As Table 15 shows, views were relatively split as to whether there should be any change to the location of alarms in the minimum standard, with 43 in support of this proposal compared to 60 who were opposed. The organisations least likely to support this proposal were housing associations, local authorities and those in lettings / residential lettings / property management.

149. Eighty respondents provided further commentary to back up their response. A number of respondents made suggestions for additional rooms into which an alarm should be placed, with bedrooms receiving the most suggestions, although some respondents noted that alarms should be placed in all rooms, hallways, common areas and / or kitchens. There were also a small number of suggestions that alarms should be interlinked.

150. A number of respondents noted that there was a need for specialist advice, with advice from the SFRS cited by many of these respondents. While one respondent in the lettings / residential lettings / property management sub-group noted that the current guidance means that electricians must be clear on what should be provided by way of alarms, another in the 'other' sub-group noted that many electricians do not follow this guidance or have the required knowledge to advise property owners on what alarms need to be installed.

151. A small number of respondents, rather than making suggestions for specific rooms into which alarms should be placed, noted that a risk-based approach should be adopted, that the placement and number of alarms should be dependent on property layout or the size of the property or that there needs to be consideration on the wider fire protection system in place, how a property is occupied and by whom.
152. Of the respondents disagreeing with this proposal, many noted that the present rules on the location of alarms are suitable and do not need to be changed. A small number of respondents referred specifically to the standard for new build which sets out a need for one alarm per level of a house.
153. A small number of respondents requested clear guidance so that landlords and property owners understand what alarms they need to provide, with some referring to the BS 5839-6:2013 Fire Detection and Fire Alarm Systems for Buildings.
154. A number of respondents disagreeing with this proposal also called for more research or evidence, for example, to identify the most at risk rooms or to ascertain the reasons behind alarm failure to activate.

## Other Changes

**Q9: Do you think there should be any other changes considered for (i) any new standard for social landlords and owner occupiers or (ii) the existing standard for private rented housing?**

Table 16: Question 9i

	Yes	No	Don't know	No reply
Housing Association (17)	4	9	2	2
Local Authority (13)	6	5	2	-
Lettings / residential lettings / property management (7)	1	1	4	1
Residents association / tenant participation (7)	3	3	-	1
Fire risk / Safety consultant (6)	1	3	1	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	2	6	3	2
Individuals (59)	23	19	12	5
<b>Total (122)</b>	<b>40</b>	<b>46</b>	<b>24</b>	<b>12</b>

155. As Table 16 shows, views were polarised as to whether there should be any other changes considered for any new standard for social landlords and owner occupiers, with 40 in agreement with the proposal and 46 not in agreement, although 24 respondents gave a response of 'don't know' and 12 did not reply.
156. A total of 60 respondents, across all sub-groups, opted to provide additional commentary in support of their response.
157. A small number of respondents noted that the same standard should apply to all types of tenure, including the private rented sector and the social sector. There were also a small number of mentions for other sectors such as holiday homes or serviced apartments. A small number of respondents noted that the current standard is adequate. However, a small number of respondents also commented on the need for a timescale to allow owners and landlords to carry out any required changes in the light of a new standard.
158. As at some previous questions, some respondents made suggestions for technology that could or should be adopted under a new standard and this included mentions of carbon monoxide detectors (housing associations) and interlinked alarms with carbon monoxide detectors. Other suggestions included:
- Fire extinguishers in common areas or in each home.
  - Retrofitting of sprinklers in existing homes and in all new build.
  - Smoke detectors in the master bedroom.
  - Fire doors.
  - Smart smoke detectors that can self-test and upload results to a portal.
159. As at a number of previous questions, there were some references to the difficulties of enforcing a new standard, particularly among owner occupiers. A small number of respondents suggested that owner occupiers should not have to comply with the same standard, or that the new minimum standard should focus on the areas of highest risk such as flatted properties. One individual stressed that social landlords should be held accountable for the safety of their tenants.
160. A small number of respondents focused on the need to give consideration to groups of people who might have additional needs, such as disabled tenants.
161. Some respondents noted responsibilities that should lie with property owners. These included informing tenants about fire safety, providing confirmation that fire and smoke detection equipment has been installed in line with the standard or being responsible for testing smoke alarms in accordance with British Standard or fire safety guidance.



162. Once again, some issues seen at earlier questions were highlighted by small numbers of respondents. These included

- The need for more research.
- The need to adopt a risk-based approach.
- Using the SFRS to carry out checks.
- The need to educate the public, owners, landlords and tenants on the importance of fire safety.
- Consistency in the language used.

**Q9: Do you think there should be any other changes considered for (i) any new standard for social landlords and owner occupiers or (ii) the existing standard for private rented housing?**

**Table 17: Question 9ii**

	Yes	No	Don't know	No reply
Housing Association (17)	8	5	2	2
Local Authority (13)	1	8	3	1
Lettings / residential lettings / property management (7)	1	4	1	1
Residents association / tenant participation (7)	2	4	-	1
Fire risk / Safety consultant (6)	2	2	2	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	2	6	3	2
Individuals (59)	17	27	11	4
<b>Total (122)</b>	<b>33</b>	<b>56</b>	<b>22</b>	<b>11</b>

163. As shown in Table 17, more respondents disagreed (56) that there should be any other changes considered for the existing standard for private rented housing than agreed (33), although some provided an answer of either 'don't know' (22) or did not reply (11). Highest levels of disagreement came from local authorities and respondents in lettings / residential lettings / property management. Highest levels of agreement came from housing associations.

164. Forty-seven respondents, across all sub-groups, opted to provide additional commentary in response to this question.

165. Some respondents noted the need for the same standard across all types of tenure or felt the existing standards are adequate for the private rented sector, although a small number of individuals noted that the standard should be the same as for new build.

166. Some respondents opted to outline suggestions for technology requirements that should be included in the standard and these included:

- Battery technology.
- Fire extinguishers.
- Sprinklers (retrofitted to existing properties and installed in new build properties).
- Interlinked alarm systems to include bedrooms / detectors in bedrooms.
- Fire rated entry doors in flatted properties to minimise the fire risk to others.
- Carbon monoxide detectors.
- Easy access to fire escapes.
- Emergency lighting in communal areas.

167. Once again, the issue of enforcement was raised by some respondents, with most of these noting the need for some form of monitoring for compliance and maintenance of equipment. There were suggestions for penalties to be imposed on those not complying.

168. Other issues raised by respondents at this question included a need for:

- Fire safety education.
- Research.
- Consideration of risk management rather than a focus on fire and smoke alarms per se.
- Time to implement and apply any required changes.

# Costs, Timescale and Compliance

## Estimate of the Cost of Alarms

169. In the consultation paper the Scottish Government proposed that owner occupiers should pay for fire and smoke alarms in their own homes, and that social landlords should fund additional alarms from their own resources.

**Q10a: Do you think that it is reasonable for home owners to pay for the work needed to comply with a new minimum standard for fire and smoke alarms? If not, who do you think should meet these costs?**

Table 18: Question 10a

	Yes	No	Don't know	No reply
Housing Association (17)	14	1	1	1
Local Authority (13)	13	-	-	-
Lettings / residential lettings / property management (7)	5	1	-	1
Residents association / tenant participation (7)	4	3	-	-
Fire risk / Safety consultant (6)	6	-	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	10	1	-	2
Individuals (59)	43	12	2	2
<b>Total (122)</b>	<b>95</b>	<b>18</b>	<b>3</b>	<b>6</b>

170. As Table 18 shows, there was majority agreement (95) across all sub-groups that it is reasonable for home owners to pay for the work needed to comply with a new minimum standard for fire and smoke alarms, although the views of residents associations / tenant participation organisations were polarised. Eighteen respondents disagreed with this proposal.

171. While there was general support for this proposal, a number of respondents across all sub-groups raised concerns over the costs. Some respondents suggested that the Scottish Government should take responsibility for installation costs, while some others thought that the Scottish Government should offer grants, subsidies or loans to help cover the costs of installation. A number of these respondents referred specifically to those on low incomes or who are vulnerable as needing financial support and some suggested carrying out means testing. A small number of these respondents referred to the possibility of extending care and repair or

handyman schemes or utilising funding from other sources such as energy efficiency schemes.

172. There was also some reference to the potential of grants from the SFRS who have provision to fit smoke alarms free of charge if they are required after a home fire safety visit. A local authority suggested that there would be potential for utility companies to contribute to the costs or for community benefits to be paid for by manufacturers.

173. One individual suggested a trade in or recycling scheme to help alleviate costs.

174. Of the small number who disagreed with this proposal, it was felt that the home owner should be able to decide whether to go ahead or not, although some of these noted that private landlords, those who offer self-catering or short term lets should have to comply with the new minimum standard.

175. Some themes emerging to this question echoed those seen at earlier questions. These included:

- Concerns over how this would be enforced.
- A need for education campaigns to increase understanding of the importance of fire safety.
- A need for risk assessment to ascertain requirements.
- A preference for sealed battery alarms.

176. A small number of respondents referred to the estimates of the cost of alarms provided in the consultation paper, with comments that the cost of hard wired alarms was underestimated and that this is more likely to be around £200 (the consultation paper suggested £50 installation costs for mains wired alarms). A local authority respondent also felt that installing smoke detectors is likely to need professional installation and this will increase the costs. A respondent in the lettings / residential lettings / property management group said:

*“Current PRS requirements leave properties with surface mounted trunked cabling which is unsightly. If owners want them concealed you require plaster chasing, making good and redecorating rooms. This cost can be considerably more than the fittings”* (lettings / residential lettings / property management).

177. While some were critical of the costs outlined in the consultation paper, others felt that costs associated with this would be manageable, particularly if compared with savings in terms of fatalities, damage to property and use of the SFRS.

**Q10b: Do you think that it is reasonable for social landlords to pay for the work needed for their properties to comply with a new minimum standard for fire and smoke alarms? If not, who do you think should meet these costs?**

**Table 19: Question 10b**

	Yes	No	Don't know	No reply
Housing Association (17)	11	3	2	1
Local Authority (13)	10	-	2	1
Lettings / residential lettings / property management (7)	6	-	-	1
Residents association / tenant participation (7)	5	2	-	-
Fire risk / Safety consultant (6)	6	-	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	11	-	-	2
Individuals (59)	51	4	1	3
<b>Total (122)</b>	<b>100</b>	<b>9</b>	<b>5</b>	<b>8</b>

178. As Table 19 demonstrates, a large majority of respondents (100) agreed that it is reasonable for social landlords to pay for the work needed for their properties to comply with a new minimum standard for fire and smoke alarms; nine respondents disagreed. Many of these respondents reiterated points made to the previous question.

179. A number of those who agreed noted that it would mean parity across the different sectors, that landlords have a duty of care or that it is fair and reasonable that all landlords should bear the cost of implementation. An additional advantage, cited by a small number, is the longer term advantage of protecting property.

180. However, qualifying comments were made by a number of respondents, most notably in relation to the need for adequate resources, a reasonable timescale for implementation, a need to ensure that rents are kept affordable for tenants or for some form of grant / subsidy to be provided. Typical comments included:

*“A longer time frame around compliance with a new standard could potentially allow social landlords greater flexibility around planning investments, we recognise there is balance around adequate time to plan and the need to introduce any minimum standard and the benefits it may bring” (local authority).*

*“Given the number of homes housing associations own, the cost of upgrading alarms will be significant – estimates from members vary between £200,000 and £300,000 for medium sized housing associations. Costs will be significantly higher where associations have large number of homes or where the majority of their homes are from a stock transfer.” (Housing Association)*

181. There were a small number of suggestions that financial support may be needed for specific groups. A small number of respondents had concerns that this could result in a rent increase for tenants.

182. As at the previous question, there were a number of suggestions for the Scottish Government to make funding available, in the form of grants, loans or subsidies.

## Timescales

**Q11a: Do you think that the timescale we have proposed for installing additional alarms is reasonable: One year for battery alarms?**

Table 20: Question 11a

	Yes	No	Don't know	No reply
Housing Association (17)	5	11	-	1
Local Authority (13)	6	5	2	-
Lettings / residential lettings / property management (7)	3	2	1	1
Residents association / tenant participation (7)	5	2	-	-
Fire risk / Safety consultant (6)	5	1	-	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	5	4	3	1
Individuals (59)	35	14	8	2
<b>Total (122)</b>	<b>64</b>	<b>39</b>	<b>14</b>	<b>5</b>

183. As shown in Table 20, a majority (64) of respondents agreed that a one year timescale for installing additional battery alarms is reasonable. This compares to 39 who disagreed; highest levels of disagreement came from housing associations.

184. Respondents were invited to expand on their answer and 75 took the opportunity to comment. The key comments from those who agreed with the proposal was that this would be an adequate timescale, that it would be relatively easy to install additional battery alarms or that fire safety should be a priority. A small number of respondents suggested that this could be

completed in a shorter timescale than that suggested by the Scottish Government. That said, a small number of these respondents noted it would be dependent on the availability of the necessary battery alarm units. A small number of respondents also noted that this requirement should be acceptable to social landlords who will be aware of this issue but that other sectors might need a longer period of time.

185. Of the respondents who disagreed with this proposal, a key comment, primarily from housing associations and local authorities, was in relation to the logistical and financial challenges that would be presented by such a short timescale. Some of these respondents noted that there could be problems with installation and connection; others that this would need to be part of the planned maintenance cycle, which would also help to spread the costs over a longer period of time. A small number of these also noted that this could result in significant costs that have not yet been budgeted for. One housing association identified a number of key issues including budgeting, timescales, the need to keep rents as low as possible, availability of products as well as other pressures upon social landlords.
186. A number of respondents suggested alternative timescales, with a small number suggesting that this could be completed in as little as three or six months. However, most of those providing an alternative timescale – primarily housing associations – suggested five years as this would allow for planning, procurement and the budgeting of costs over a more realistic time period. A small number of respondents felt that a timescale of ten years would fit better with planned maintenance cycles. However, there were also a small number of comments that social landlords would not require a longer timescale given that they will have some form of provision in place already.
187. There were some suggestions that the implementation of this proposal should be staggered and prioritise at-risk households.
188. Some respondents, mainly individuals, who disagreed with this proposal did so on the basis of a dislike of using battery alarms and a preference for linked mains alarms instead.
189. One concern raised by some respondents was whether or not manufacturers and suppliers have sufficient capacity to be able to cope with an increased demand over a short period of time. Additionally, that a sudden increase in demand could result in increased costs of battery alarms at a time when many organisations are under considerable financial pressure.
190. A very small number of respondents made other suggestions and these included:
  - Insurance companies insisting upon battery fitted alarms in owner occupied properties as this would help with enforcement in this sector.

- The Scottish Government should not support battery alarms as this would be promoting one supply sector at the expense of another.

**Q11b: Do you think that the timescale we have proposed for installing additional alarms is reasonable: Two years for mains wired alarms?**

**Table 21: Question 11b**

	Yes	No	Don't know	No reply
Housing Association (17)	4	12	-	1
Local Authority (13)	5	5	3	-
Lettings / residential lettings / property management (7)	3	3	-	1
Residents association / tenant participation (7)	4	3	-	-
Fire risk / Safety consultant (6)	3	2	1	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	6	3	2	2
Individuals (59)	36	15	6	2
<b>Total (122)</b>	<b>61</b>	<b>43</b>	<b>12</b>	<b>6</b>

191. As Table 21 shows, a majority of respondents (61) felt the proposal that a two year timescale for installing additional mains wired alarms is reasonable. This compares to 43 respondents who disagreed. As at the previous question, the highest level of disagreement came from housing associations, with views mixed across other types of organisation.

192. Respondents were again invited to explain their answer and 73, across all sub-groups, did so. Many of the responses echoed those given at the previous question. Those in support of the proposal felt that two years is a reasonable period of time to comply with the minimum standard.

193. Two different perspectives were demonstrated from those opposed to this proposal. A larger number of those in disagreement with the proposal, mostly in housing associations and local authorities as well as some individuals, felt that two years is not long enough, with some suggestions that a five year period would be more suitable. As at the previous question, the reasoning for this was that time is needed to take into account the number of properties affected and the scale of work to be undertaken, other pressures on budgets such as energy efficiency schemes or other housing condition demands, the availability of installation contractors and skilled trades to undertake this work.



194. There was a preference from some of these respondents that any work is undertaken in line with ongoing planned maintenance. A small number of respondents suggested prioritising households most at risk. There were also a small number of comments about the time it can take to obtain approval under building regulations or the time it would take to legislate for the minimum standard.

195. A smaller number of these respondents, mainly in the lettings / residential lettings / property management sub-group and some individuals felt that one year would be a more suitable time period; a small number of others noted that this should be done as quickly as possible but did not stipulate a specific timescale.

196. Again there were some concerns over the availability of qualified tradespeople or the potential for price increases among tradespeople due to increased demand; and some queries as to whether the market has sufficient capacity to meet increased demand.

### Timetable for owner occupiers and social landlords

**Q12: Do you think that the timetable should be the same for both owner occupiers and social landlords?**

Table 22: Question 12

	Yes	No	Don't know	No reply
Housing Association (17)	12	2	2	1
Local Authority (13)	8	3	2	-
Lettings / residential lettings / property management (7)	5	1	-	1
Residents association / tenant participation (7)	6	1	-	-
Fire risk / Safety consultant (6)	5	-	-	1
Other (e.g. charities / health / professional organisations / manufacturer) (13)	8	2	-	3
Individuals (59)	38	13	6	2
<b>Total (122)</b>	<b>82</b>	<b>22</b>	<b>10</b>	<b>8</b>

197. As Table 22 demonstrates, a large majority of respondents were in favour of a timetable that is the same for both owner occupiers and social landlords, with 82 in agreement and 22 disagreeing.

198. Respondents were invited to explain their answer and 66, across all sub-groups commented. The key comment emerging from those in agreement

with this proposal was that there is a need to ensure the safety of all and that this would provide a level playing field. As an organisation in the 'other' sub-group commented:

*“Yes, [we] believe the timetable should be the same for both owner occupiers and social landlords to comply with a new minimum standard, based on the principle that everyone should have the same entitlement and right to a safe home regardless of tenure”.*

199. A small number of respondents, mostly individuals, suggested that this work should be completed in a shorter timescale.

200. There were concerns from a number of respondents, and these included:

- How this would be implemented / enforced.
- A need for more information as to what type of tenure poses the greatest risk of having domestic fires, or that this should be based on risk assessments.
- The availability of alarms and contractors; if there is a short timescale, this could serve to push up costs.
- A need to consider the risk, investment plans and likely costs in each sector.
- A need for a national information campaign to inform all property owners and social landlords.

201. The relatively small number of respondents in disagreement with this proposal and who felt that a longer timescale would be needed for social landlords, focused on the scale of work that would be required by social landlords, once again with suggestions that any work should be carried out in line with planned maintenance. A small number of these respondents also pointed out that properties owned by social landlords will already comply with the Scottish Social Housing Charter and be monitored by the Scottish Housing Regulator.

202. In relation to the owner occupied sector, some respondents in disagreement with this proposal felt that a two year timescale is suitable given that owner occupiers will not have the same number of properties to comply with a standard, with a small number suggesting a shorter timescale for this sector. Once again, a number of respondents focused on the difficulties of enforcing this among owner occupiers, with some suggestions that this could be enforceable at point of sale.

203. A small number of respondents felt that mixed tenure properties should have the same timescale applied because of the risk to all residents.

## Compliance in Social Housing

**Q13: Do you think existing enforcement routes are sufficient for the social housing sector?**

**Table 23: Question 13**

	Yes	No	Don't know	No reply
Housing Association (17)	13	3	-	1
Local Authority (13)	10	2	1	-
Lettings / residential lettings / property management (7)	1	1	4	1
Residents association / tenant participation (7)	6	1	-	-
Fire risk / Safety consultant (6)	1	2	3	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	4	2	5	2
Individuals (59)	24	12	18	5
<b>Total (122)</b>	<b>59</b>	<b>23</b>	<b>31</b>	<b>9</b>

204. Table 23 shows that while a greater number of respondents agreed (59) than disagreed (23) that existing enforcement routes are sufficient for the social housing sector, a significant number (31) provided an answer of 'don't know' to this question and a further 9 respondents did not reply.

205. Respondents were invited to explain their answer and 61 took the opportunity to comment. Many of those agreed that the existing enforcement route is sufficient or that it is established as the primary route for assessing condition and services quality in the social housing sector.

206. A very small number of respondents noted concerns over whether the Scottish Housing Regulator (SHR) would have the resources to take on additional responsibility.

207. Some respondents, mainly housing associations or those in the residents association / tenant participation sub-group suggested that there needs to be a question on the annual return (ARC) to show compliance with the standard, although a very small number of respondents felt that the SHR will need to have robust systems to check on the information provided and / or to carry out site visits to verify performance and ensure compliance with the standard.

208. Of the smaller number who disagreed, there were some concerns over how to ensure the robustness of enforcement measures and ensure that all standards are consistently met across the social housing sector.
209. Small numbers of respondents also queried how this would be enforced in the private rented and owner occupied sectors or how mixed tenure blocks would comply with the standard.
210. A very small number of respondents noted, “if we are working towards a common housing standard we consider that there should be a common route of redress i.e. tenants in the social rented sector should also have access to the First-tier Tribunal in the same way that PRS tenants do”.
211. There were also a very small number of suggestions that there needs to be better enforcement by the SHR than at present.

**Q13a: If not, what else do you think is needed to enforce a new standard in social housing? Please also tell us what additional support is needed, for example training, advice or guidance.**

212. Thirty-seven respondents provided commentary at this question, a number of whom reiterated the need for training, advice and guidance to be provided. Guidance was cited most frequently, with respondents acknowledging the importance of consistency of application and enforcement and setting out the requirements for compliance and reporting. There were also very small mentions for:
- More staff or additional inspectorate staff in local authorities.
  - A publicity campaign to increase awareness of requirements.
213. A small number of respondents referred in some way to enforcement, with comments that the standard needs to be set and enforced or that the Regulator must enforce the standard.
214. There were very small numbers of suggestions for the new standard to be applied under existing fire legislation and some references to the need for this to be the responsibility of the SFRS.

## Compliance in Owner Occupied Housing

**Q14: Do you have any views on the most effective approaches to encouraging compliance with a minimum standard for fire and smoke alarms in the owner occupied sector?**

215. Ninety-seven respondents opted to provide commentary in response to this question, with some endorsing the measures outlined in the consultation paper.

216. Many of those answering this question offered support for the various measures outlined in the consultation paper, with evidence of compliance at point of sale being the most popular measure. That said, there were some queries over whether this would be binding or that it would take a long time to ensure there are alarms in all owner occupied properties if there is reliance on this approach.
217. There was also support for discounts via insurance policies or for the fitting of alarms to be a condition of an insurance policy, although a small number of respondents queried how willing the insurance companies would be to apply such a condition.
218. There were also suggestions from a small number of respondents for additional measures that could be considered. These included
- When a building warrant is applied for (suggested by local authorities).
  - As a condition of mortgage approval.
  - To be incorporated in council tax payments.
  - During annual gas / electrical checks (suggested primarily by individuals).
219. Some respondents suggested education, marketing or advertising campaigns to increase awareness of the minimum standard. A small number of respondents suggested that there is a need to offer advice or guidance rather than enforcement.
220. There were also suggestions for some form of financial incentive to encourage owner occupiers to adopt a new standard. These included grants, loans, and subsidies. Conversely, there were also a small number of suggestions that financial penalties should be imposed for non-compliance.
221. A number of respondents commented specifically on enforcement of the minimum standard, with many of these noting the challenges of enforcement and the need for an enforcement regime. A small number of respondents felt this should focus on flatted properties where failure to provide alarms could increase the risk of danger to other occupants.
222. There were a few suggestions as to who should be responsible for enforcing the standard, with most respondents focusing on local authorities, although some noted that local authorities would need increased enforcement powers or that they are reluctant to use their enforcement powers. A very small number of respondents suggested this responsibility could lie with the fire service or come under landlord legislation. A small number of respondents also doubted whether owner occupiers would comply with this standard.
223. A small number of respondents felt this minimum standard should not be imposed on owner occupiers.

224. One local authority noted:

*“The council agrees that there does not appear to be a single measure that can achieve compliance across all owner occupied homes. Therefore, it will be necessary to work with the Scottish Government, other partners and stakeholders to consider a range of measures that can contribute towards raising the level of compliance. In the meantime, further consideration should be given to awareness raising, information and funding options for private sector housing”.*

# Wider context

## Other measures and approaches

**Q15: We have outlined other measures and approaches we are planning to consider in future work. Is there anything else we should be including?**

225. Sixty-eight respondents opted to answer this question, many of whom reiterated measures and approaches that were outlined in the consultation paper. These measures and approaches included:

- Escape routes and systems.
- A review of compartmentation.
- Installation of fire doors
- Fire stops.
- Sealing of internal risers.
- Inert cladding.
- Access to fire extinguishers or an extinguisher in each property.
- Emergency lighting in common areas, and the retrofitting of emergency lighting, especially in high rise buildings.
- The removal of flammable materials and obstructions from common areas.
- Connection of fire and smoke alarms to CCTV or concierge systems.

226. Some respondents referred to the need for additional standards for higher risk individuals such as disabled people, individuals in sheltered housing, retirement homes or care homes.

227. As at some previous questions, there were some calls for guidance on fire safety and fire prevention, or for an advertising campaign to highlight relevant fire safety issues.

228. A number of respondents referred to different types of technology that should be considered, the most frequently mentioned being sprinklers. A small number suggested that sprinklers should be compulsory in all new builds or in high rise flats.

229. There were also some calls for enforcement to be stringent. Three respondents in the residents association / tenant participation sub-group called for regular gas or electricity testing to include checks on fire and smoke alarms. A very small number of respondents noted their support for measures to penalise individuals who falsely set off alarms.

230. Another theme raised at this question by a small number of respondents was the need to provide some form of financial incentive, perhaps in the

form of grants or loans to encourage individuals to meet the new minimum standard. Once again, there were a small number of suggestions that insurance companies could provide discounts on insurance premiums if certain measures such as sprinkler systems are fitted.

## Carbon Monoxide Detectors

**Q16: Do you think that there should be a new minimum standard for carbon monoxide detectors in (a) social rented and (b) owner occupied housing?**

### Social rented housing

Table 24: Question 16a

	Yes	No	Don't know	No reply
Housing Association (17)	13	2	-	2
Local Authority (13)	10	2	-	1
Lettings / residential lettings / property management (7)	6	-	-	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	5	-	1	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	13	-	-	-
Individuals (59)	52	1	3	3
<b>Total (122)</b>	<b>106</b>	<b>5</b>	<b>4</b>	<b>7</b>



## Owner occupied housing

Table 25: Question 16b

	Yes	No	Don't know	No reply
Housing Association (17)	11	3	1	2
Local Authority (13)	11	2	-	-
Lettings / residential lettings / property management (7)	4	1	1	1
Residents association / tenant participation (7)	7	-	-	-
Fire risk / Safety consultant (6)	4	1	1	-
Other (e.g. charities / health / professional organisations / manufacturer) (13)	12	1	-	-
Individuals (59)	42	7	6	4
<b>Total (122)</b>	<b>91</b>	<b>15</b>	<b>9</b>	<b>7</b>

231. As can be seen in Tables 24 and 25, a large majority of respondents were supportive of a new minimum standard for carbon monoxide detectors in both social rented housing and owner occupied housing.

232. Respondents were invited to explain their answers and 87 did so. Over half of these commented that it is important to focus on safety or that there should be parity of tenure across these sectors. A small number of respondents noted that this is already a requirement in the private rented sector; one respondent noted that this minimum standard should be extended to the commercial sector and another that this should be extended to the self-catering sector. A similarly small number also noted that some social landlords have already installed carbon monoxide detectors in their properties.

233. While there was general agreement of the need for carbon monoxide detectors, a small number of respondents noted that carbon monoxide detectors are only needed in properties where older carbon fuelled appliances are in place and that this minimum standard does not need to be applicable to all properties. A small number of respondents also noted that they should be placed in rooms where there are gas fires or gas boilers. As such, some respondents suggested that the installation of carbon monoxide detectors should be part of an annual gas check or when a new boiler is being installed. As these will not be applicable to all properties, a small number of respondents suggested that rather than having a new minimum standard for carbon monoxide detectors, the installation of these could be carried out under Gas Regulations.

234. Some respondents made reference to installation issues, with suggestions that all properties requiring a carbon monoxide detector should have these installed at the same time as a relevant appliance, when existing appliances are serviced or when fire and smoke detectors are being installed.
235. There were suggestions from a small number of respondents that these detectors should be hard-wired, connected to other detection devices such as smoke alarms or be in sealed units.
236. As at some previous questions, a small number of respondents suggested that an adequate period of time will be needed for social landlords to comply with the new minimum standard or that they will struggle to meet the proposed timescale.
237. A small number of respondents referred to the owner occupied sector specifically. There were comments that the statutory minimum standard should not be imposed on this sector and that this sector should be encouraged to install carbon monoxide detectors, rather than it being mandatory. There was also a perception that the choice should be made by each owner occupier as they are responsible for their own safety; the only exception to this being in mixed tenure blocks where failure to install carbon monoxide detectors might impact on other residents. Once again, there were also a very small number of comments regarding the difficulties of enforcing a new minimum standard in this sector.
238. There were few comments made specifically in relation to social landlords, although a very small number of respondents noted that social landlords have a responsibility for the safety of their tenants and that in some instances, these detectors will have already been installed.

## Impact Assessments

239. Views were also invited on the following documents that were published alongside the main consultation document:

- A Business and Regulatory Impact Assessment (BRIA); and
- An Equalities Impact Assessment (EQIA).

### Q17: Do you have any comments on these impact assessments?

240. Twenty-one respondents, across all sub-groups with the exception of those involved in lettings / residential lettings and property management, opted to provide commentary on the impact assessments.

241. Some of these respondents simply noted their support for the consultation and measures that will improve fire safety in homes across Scotland.

242. Most of the comments made were in relation to the BRIA. Comments in relation to this, each made by very small numbers of respondents, included:

- The BRIA is fair and accurate.
- Concerns over the ability of social landlords to meet new requirements in the proposed timescales; together with a request for an estimate of the likely overall costs for larger landlords to comply with a new minimum standard rather than just estimating the cost of installing a single alarm.
- It would be reasonable to expect local authorities to conduct enforcement work without additional resources.
- Any measures adopted need to be proportionate and use risk-based assessments.
- A need to consider the requirements of a new minimum standard alongside other issues such as energy efficiency as there will be a cumulative financial impact for which households will have to plan.
- There is a need to undertake a cost benefit analysis of fire safety measures such as sprinkler systems.
- The costings need to be broken down more fully.

243. Other comments raised by respondents included:

- Any improvement would be in the right direction.
- Scepticism because assessments tend to single out the most unknowledgeable and vulnerable among the population.
- A need to include a briefing document for landlords.
- A need to increase fire service enforcement powers.
- A need to update Building Standards and SHQS in the light of a new minimum standard.

- The equalities assessment should note that many tenants live in fuel poverty and cannot afford basic fire safety provision, so there will be a need for Scottish Government interventions.
244. A very small number of respondents noted that they would be pleased to provide a response when the BRIA and EQIA are revisited. There was also a request to involve lead bodies in the private rented sector in any further discussion or consultation.
245. There were also suggestions from a very small number of respondents for additional impact assessments to be conducted; a Health Inequalities Impact Assessment (HIIA) and an Environmental Impact Assessment (EIA).
246. One respondent in the 'other' sub-group disagreed with the EQIA which suggested no negative impacts on any equality groups as, they said, there would be a financial impact for those in vulnerable groups experiencing poverty.
247. Finally in response to this question, there was a comment from a local authority for regular reviews of the impact assessments as the policy moves forward.

**Q18: Do you have any other comments on this consultation?**

248. Thirty-four respondents opted to provide commentary to this question, many of whom reiterated points made in earlier questions.
249. Some respondents noted their support for the consultation or welcomed the opportunity to provide their views on the consultation. A small number also noted their willingness to participate in any further discussion in this area.
250. A small number of respondents noted the need for this consultation to link into a wider approach in raising safety standards in general or linking into other policy areas such as health, with one local authority noting the need to consider other commitments such as energy efficiency required in the social rented sector. There were also a small number of calls for a wider consultation on fire safety standards to include issues such as escape routes in high rise tenements or flatted properties.
251. Themes reiterated by respondents included:
- The need for high standards across all housing sectors regardless of tenure.
  - The need for fire risk assessments for all high rise domestic buildings or risk assessments to identify residents at a greater risk of fire (cited by residents associations / tenant participation or local authorities).
  - The need for careful consideration of the timescales and expense of compliance (housing associations).
  - The difficulties in enforcing the new minimum standard in the owner occupied sector.

- The need to consider financial incentives such as grants, loans or subsidies.
- The need for education / advertising campaigns to help raise awareness of issues in relation to fire safety.
- Requests for representation from professional fire engineers within on the Ministerial Working Group.
- Reference to work undertaken by Dundee University.

# APPENDIX 1: Respondent Organisations

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Aberdeenshire Council

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Angus Council

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Argyll & Bute Council

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Argyll Community Housing Association

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Association of Local Authority Chief Housing Officers (ALACHO)

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Association of Scotland's Self-Caterers

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BAFE (British Approvals for Fire Equipment)

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Broughton Property Management

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C. S. Todd & Associates Ltd

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Cairn Housing Association

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Castle Estates

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Castlerock Edinvar

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Certsure LLP

---

Chartered Institute of Housing Scotland

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Clydesdale Housing Association Tenants and Residents Group

---

COSLA

---

Dalmuir Multi-Storey Flats Tenants and Residents Association

---

Denburn Court Residents Association

---

Dundee City Council

---

East Ayrshire Federation of Tenants and Residents

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Elcom Electrical Services

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Electrical Safety First

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Fife Council Housing Services

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Glasgow and West of Scotland Forum of Housing Associations

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Glasgow City Council

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Glen Oaks HA

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Glenham Property Management

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Grampian Housing Association
Hacking and Paterson Management Services
Inverclyde Council (Safer & Inclusive Communities)
Irvine Housing Association
JB Lettings Limited
Key Housing Association
Kidde Safety Europe Limited
Langstane Housing Association
MHA
Milnbank Housing Association
NAEA PropertyMark and ARLA PropertyMark
National Landlords Association
NHS Health Scotland
North Lanarkshire Council
North Lanarkshire Federation of Tenants and Residents
North of Scotland Regional Network – Region 1
North View Housing Association
Olsson Fire & Risk
Pineview Housing Association
Port of Leith Housing Association
Property Managers Association Scotland
Provenhall Housing Association
Public Health, NHS Greater Glasgow & Clyde
Renfrewshire Council
Rushbrook Consultants Ltd
Scottish Association of Landlords & Council of Letting Agents
Scottish Federation of Housing Associations
Scottish Fire and Rescue Service
Shelter Scotland

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South Lanarkshire Council

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Southside Community Council

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Tenants Information Service (TIS)

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Trust Housing Association

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UK Finance

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West Lothian Council

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Wheatley Housing Group

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59 individuals

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## APPENDIX 2: BS5839-6 standards

Several responses to the consultation refer to standards of fire alarm systems in British Standard BS5839-6. These are graded A-F for different types of alarm and categories LD1-3 for the level of protection provided. The key points for this consultation are as follows:

### Types of Alarm

A system of one or more battery powered smoke alarms is a **grade F** system (this is represented by the standard currently required in social housing).

A system in which the alarms are interlinked is a **grade E** system.

A system in which the alarms are interlinked and mains powered (with a battery back-up) is a **grade D** system. This is the standard required in Scottish building regulations and in private rented housing.

A system which also has a monitoring service is a **grade C** system. Scottish building regulations require this standard for sheltered housing.

### Level of Protection

A **category LD3** system is the lowest level of protection. It has alarms installed in circulation spaces (halls, landings).

A **category LD2** system has alarms in circulation spaces and also in rooms that present a high fire risk. The current standard for new buildings and private rented housing recognises kitchens and living rooms as high fire risk areas, so houses that meet this standard would be LD2 systems.

A **category LD1** system has alarms in all rooms, except toilets and bathrooms, and circulation spaces.

### **How to access background or source data**

The data collected for this social research publication:

- are available in more detail through Scottish Neighbourhood Statistics
- are available via an alternative route: Scottish Government website, publication of all consultation responses
- may be made available on request, subject to consideration of legal and ethical factors. Please contact <email address> for further information.
- cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.



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